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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16)
17 v.)
18)
19 ISAAC NICHOLAS GARCIA,)
20 Defendant.)

Criminal No. CR 06-00188 SI

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

21 The above-captioned matter came before the Court on May 12, 2006 for an initial
22 appearance. The defendant was represented by David W. Fermino and the government was
23 represented by William C. Martin, Assistant United States Attorney. This case was then
24 continued until May 26, 2006, at 11:00 A.M. for status and the possible setting of a motion
25 schedule or trial date.

26 The Court made a finding on the record that the time from and including May 12
27 through and including May 26, 2006, should be excluded under the Speedy Trial Act, 18 U.S.C.
28 § 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best
**STIPULATION AND [PROPOSED]
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1 interest of the public and the defendant in a speedy trial. That finding was based on the need for
2 the defendant to have reasonable time necessary for effective preparation, taking into account the
3 exercise of due diligence, and for continuity of counsel pursuant to 18 U.S.C.

4 § 3161(h)(8)(B)(iv).

5 The parties hereby agree to and request that the case be continued until May 26, 2006,
6 and that the exclusion of time until then be granted. The parties agree and stipulate that the
7 additional time is appropriate and necessary under Title 18, United States Code, Section
8 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest
9 of the public and the defendant in a speedy trial. This time exclusion will allow defense counsel
10 to effectively prepare, taking into account the exercise of due diligence, and will provide for
11 continuity of counsel for the defendant.

12
13
14 DATED: 5/12/06

/s/

DAVID FERMINO
Attorney for Defendant

15
16
17 DATED: 5/12/06

/s/

WILLIAM C. MARTIN
Assistant U.S. Attorney

18
19 So ordered.

20 DATED:



SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE